

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: Edward C. Penrose II <div style="text-align: right;">Debtor(s)</div> FREEDOM MORTGAGE CORPORATION <div style="text-align: right;">Movant</div> vs. Edward C. Penrose II <div style="text-align: right;">Debtor(s)</div> Kenneth E. West Esq. <div style="text-align: right;">Trustee</div>		CHAPTER 13 NO. 20-10947 ELF 11 U.S.C. Section 362
---	--	---

**MOTION OF FREEDOM MORTGAGE CORPORATION
FOR RELIEF FROM THE AUTOMATIC STAY
UNDER SECTION 362**

1. Movant is FREEDOM MORTGAGE CORPORATION.
2. Debtor(s) is/are the owner(s) of the premises 228 Cedar Avenue, Holmes, PA 19043, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$101,200.00 on the mortgaged premises that was executed on March 15, 2018. The mortgage has been assigned as follows:

Mortgage Electronic Registration Systems, Inc., as Mortgagee, as Nominee for Waterstone Mortgage Corporation, Its Successors and Assigns to Freedom Mortgage Corporation filed on September 6, 2019 at Instrument Number 2019051133 in Delaware County.
4. Kenneth E. West Esq., is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtor(s).
6. Debtor(s) has/have failed to make the monthly post-petition mortgage payments in the amount of \$1,098.92 for the months of October 2021 through November 2021 and \$1,167.44 for the months of December 2021 through January 22 plus late charges if applicable. The debtor's suspense balance is \$355.18.

7. In addition to the other amounts due to Movant reflected in this Motion, as of the date hereof, in connection with seeking the relief requested in this Motion, Movant has also incurred legal fees and legal costs. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.

8. The total amount necessary to reinstate the loan post-petition is \$4,177.54 (plus attorney's fees & costs).

9. Movant is entitled to relief from stay for cause.

10. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

/s/ Rebecca A. Solarz, Esq.

Rebecca A. Solarz, Esquire
KML Law Group, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106-1532
Phone: (215) 627-1322 Fax: (215) 627-7734
Attorneys for Movant/Applicant